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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,933	09/15/2003	Syed Mohammad Amir Husain	5602-11400	2026
7590 06/28/2007 Jeffrey C. Hood Meyertons, Hood, Kivlin, Kowert & Goetzel P.O. Box 398 Austin, TX 78767			EXAMINER TRUONG, LECHI	
			ART UNIT 2194	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/662,933

Applicant(s)

HUSAIN ET AL.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/2/07, 12/14/04, 08/16/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-39 are presented for the examination.

Claim Rejections - 35 USC § 101

2. Claims 17-26 are rejected as non-statutory because they are not tangibly embodied.

Claim 17 defines the carrier medium in the preamble. However, the specification discloses this medium carrier media may includes transmission media or signals such as electrical, electromagnetic, or digital signal which are not the tangible mediums; therefore, claim 17 is non-statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 8-12, 14, 15, 24-25, 27, 28, 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et al (US. Patent 6,347,342 B1) in view of Desai et al (US Patent 6,948,000 B2).

As to claim 1, Marcos teaches the invention substantially as claimed including: a message (message, col 4, ln 20-25), from a source application (object model A, col 7, ln 62-67) computer system (client, col 7, ln 62-67/ col 4, ln 20-25/ col 8, ln 10-15), generating a message from a source application on a first computer system (col 7, ln 62-67) an application programming interface (application programming interface, col 2, ln 20-25), a distributed communication infrastructure (CORBA, col 2, ln 21-227/ ln 30-33/ Mediating component 204 uses a distributed object mode, col 6, ln 65-67 to col 7, ln 1-5), wherein the source application is configured to communicate using an application programming interface (API) to a distributed computing infrastructure(col 2, ln 21-33), sending the message from the source application to the distributed computing infrastructure using the API(col 8, ln 40-48), an original format(a message(e.g. operation specification and argument), col 15, ln 27-30), a portable format(the message form one object model to another , col 15, ln 30-35/ the message such that it can be understood by the server object/ translated information, col 7 ,ln 19-23/ an object identifier, col 10, ln 2-9), a portable message(expected object, col 10, ln 3-9), the distributed computing infrastructure translating the message from an original format to a portable format on the first computer system, thereby generating a portable message(col 10, ln 1-9), identifying characteristics of the source application(a message using the protocol specified for object model B, col 10, ln 53-55/col 15, ln 27-35), wherein the portable message comprises metadata which comprise identifying characteristics of the source application(col 15, ln 27-35/ since the object mode protocol of client need not to change the portable message still have the same the object protocol which identify the characteristics of client), sending the portable message from the first computer system to a second computer system(col 3, ln 50-55), receiving the portable message

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at the second computer system(col 4, ln 35-40), metadata(argument., type, col 16, ln 42-50/ ln 64-67); and the distributed computing infrastructure routing the portable message to a target application on the second computer system based on the metadata(col 16, ln 42-50), wherein the target application is configured to communicate using the API to the distributed computing infrastructure API(col 2, ln 19-25/ col 8, ln 42-47).

Marcos do not explicitly teach network-unaware, peer-to-peer message. However, Desai teaches network-unaware, peer-to-peer message (the IUN is unaware of the user devices hanging off its Home-LAN... the CAC server is also unaware of the NIU that serves the device (col 50, ln 7-12/ peer-to-peer, col 3, ln 27-28).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Marcos to incorporate the feature of network-unaware, peer-to-peer message because this provides greater bandwidth than the typical end-to-end feeder for connection between a home and the optical network unit.

As to claim 2, Marcos teaches the source application routes network activity through the API to the distributed computing infrastructure, and wherein the target application receives network activity through the API from the distributed computing infrastructure (col 2, ln 19-26/ col 8, ln 40-45).

As to claim 8, Marcos teaches the distributed computing infrastructure translating the portable message from the portable format to the original format on the second computer system (col 16, ln 44-48).

As to claim 9, Marcoc teaches invoking functionality of the second computer system in response to the message (col 1, ln 32-36).

As to claim 10, Marcor teaches the invoking functionality on the second computer system comprises instructing the target application to take one or more actions (col 1, ln 32-38).

As to claim 11, Desai teaches the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using multicast peer-to-peer messaging (col 3, ln 27-28).

As to claim 12, Desai teaches the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using broadcast peer-to-peer messaging (col 3, ln 27-28).

As to claims 14, 15, 24-25, they are apparatus claims of claims 1, 11-15; therefore, they are rejected for the same reasons as claims 1, 11-15 above.

As to claim 27, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Marcos teaches memory, CPU (col 5, ln 42-52).

As to claims 28, 34-38, they are apparatus claims of claims 1, 8-15; therefore, they are rejected for the same reasons as claims 1, 8-15 above.

4. Claims 3, 4, 16, 17, 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et al (US. Patent 6,347,342 B1) in view of Desai et al (US Patent 6,948,000 B2), as applied to claim 1, and further in view of Bookspan et al (US. 6,629,129 B1).

As to claim 3, Marcos and Desai do not teach wherein the source application and the target application comprise chat applications enabling a user of the first computer system and a user of the second computer system to communicate using text; wherein the message from the

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source application comprises text to be displayed by the target application on the second computer system. However, Bookspan teaches wherein the source application and the target application comprise chat applications enabling a user of the first computer system and a user of the second computer system to communicate using text; wherein the message from the source application comprises text to be displayed by the target application on the second computer system (A chat utility application allows the participants in a virtual meeting to exchange text messages outside of the primary application...The virtual meeting application may monitor and administer 1462 the chat utility application, display transient user interfaces in response to state change events in the chat utility, and forward state change event notifications to the primary application, as is necessary. The user interface associated with the chat window is displayed 1464, col 14, ln 7-15).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Marcos and Desai to incorporate the feature of enabling a user of the first computer system and a user of the second computer system to communicate using text; wherein the message from the source application because this allows the meeting host to understand the functionality of application and how to access the functionality through that application's user interfaces.

As to claim 4, Bookspan teaches a user of the first computer system and a user of the second computer system to communicate using graphical data on a virtual shared whiteboard (col 14, ln 20-25); wherein the message from the source application comprises graphical data to be displayed by the target application on the second computer system (col 14, ln 25-30).

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As to claims 16, 17, 29, 30, they are apparatus claims of claims 3, 4; therefore, they are rejected for the same reasons as claims 3, 4 above.

5. Claims **5, 18, 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et al (US. Patent 6,347,342 B1) in view of Desai et al (US Patent 6,948,000 B2), as applied to claim 1, and further in view of Gupta et al (US 7,222,156 B2).

As to claim 5, Marcos, Desain do not teach collaborative applications enabling a user of the first computer system and a user of the second computer system to communicate using collaborative data; wherein the message from the source application comprises collaborative data to be displayed by the target application on the second computer system. However, Gupta teaches collaborative applications enabling a user of the first computer system and a user of the second computer system to communicate using collaborative data (email server associated with a recipient the reminder collaborative email message then communicates a notification of reminder message to associated recipients, col 11, ln 60-65); wherein the message from the source application comprises collaborative data to be displayed by the target application on the second computer system(A reply icon and corresponding "reply" word causes a reply creation screen to be displayed via which the recipient can respond to a selected email message. The default list of recipients in response to the reply icon is the author of a traditional email message or everyone on the "to" and "cc" lists as well as the author for collaborative email message, col 13, ln 8-15/ col 7, ln 20-27).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Marcos and Desai to incorporate the feature of collaborative applications enabling a user of the first computer system and a user of the second computer system to communicate using collaborative data, collaborative data to be displayed by the target application on the second computer system because this reduces any deviation from the electronic mail user as seen by the end user.

As to claims 18, 31, they are apparatus claims of claim 5; therefore, they are rejected for the same reason as claim 5 above.

6. Claims **6, 19, 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et al (US. Patent 6,347,342 B1) in view of Desai et al (US Patent 6,948,000 B2), as applied to claim 1, and further in view of Puri et al (US 6,779,184 B1).

As to claim 6, Marcos teaches determining an application type of the target application based on the metadata of the portable message (col 16, ln 42-47), wherein the routing the portable message to the target application comprises routing the portable message to the existing if the existing instance of the application type of the target application is running on the second computer system (col 16, ln 42-50).

Marcos and Desain do not teach the routing the portable message to the target application comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system. However, Puri teaches the routing the portable message to the target application

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comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system (an incoming message toward at least one selected application coupled to the network; and routing, for each selected application, the incoming message to a selected business object according to predetermined rules associated with a type of the incoming message, col 2, ln 15-20/ col 4, ln 35-45).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Marcos and Desai to incorporate the feature of the routing the portable message to the target application comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system because this allows full communication between all applications coupled to the network.

As to claims 19, 32; they are apparatus claims of claim 6; therefore, they are rejected for the same reason as claim 6 above.

7. Claims 7, 13, 20-23 26, 33, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et al (US. Patent 6,347,342 B1) in view of Desai et al (US Patent 6,948,000 B2), as applied to claim 1, and further in view of Husain et al (US 20030120751 A1).

As to claim 7, Marcos and Desai do not teach a payload of message. However, Husain teaches a payload of the message to the target application (The XML message may include the "

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payload" (i.e., the actual message to be delivered to the user on computer B) as well as a plurality of metadata elements, para [0210], ln 1-5).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Marcos and Desai to incorporate the feature of a payload of the message because this enables the parallel access for a single file-level object, and thus reduces overall access times.

As to claim 13, Husain teaches the portable format comprises XML, and wherein the portable messages comprise XML messages (para [0210], ln 1-5).

As to claims 20, 21, 22, 23, 26, 33, 39, they are apparatus claims of claims 7-10, 13; therefore, they are rejected for the same reasons as claims 7-10, 13 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

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June 21, 2007


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